

REGULAR CITY COUNCIL MEETING
DECEMBER 13, 1993

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Droubay	Council Member
Rex Harris	Council Member

ABSENT

Robert Dekker	Council Member
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OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Virginia Taylor	Deputy City Recorder
Judy Baker	City Treasurer
Gregory Schafer	City Employee
Val Kofed	Sunrise Engineering
Scott Nixon	Coopers & Lybrand
Kent Gordon	Coopers & Lybrand
Andy Thompson	City Resident

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held November 8, 1993, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held November 17, 1993, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Droubay MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable dated 11-19-93, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Robert Droubay MOVED that the accounts payable be approved for payment as listed in the amount of \$43,401.86. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The Council reviewed the accounts payable dated 12-10-93, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$75,843.07. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

ANDY THOMPSON, CITY RESIDENT: REQUEST TO COVER OPEN DRAIN ON 350 EAST

Mayor Dafoe asked Andy Thompson, City Resident to address the City Council regarding a request to cover an open drain on 350 East street from 450 North to the Cemetery Bridge.

Andy Thompson addressed the City Council and requested the City's participation in covering an open drain that extends along his property on 350 East from 450 North to the Cemetery Bridge. There is an open drain that runs along his property, and Mr. Thompson proposed that he install the pipe and cover the drain and in return he offered to deed property to the City so that they could widen the street. He then requested that the City asphalt to his property and install curb and gutter along his property.

Attorney Richard Waddingham said that in accordance with Delta City's Subdivision Ordinance the open drain enclosure and curb is the subdivider's responsibility; and, if the City participates, it could cause problems for the City with future subdivisions regarding curb and gutter requirements.

Council Member Gayle Bunker expressed opposition to the City participating in Mr. Thompson's responsibilities for subdividing. He recommended that the City do the asphalt but that Mr. Thompson do the curb. He then reminded the City Council that the City has property on the east side of the street that could be used for widening.

Discussion was then held regarding costs involved, and it was estimated that the cost of the curb would be approximately \$10,000 plus \$15,000 for asphalt, which does not include any preparation work. If approved, Mayor Dafoe said that this project would be funded in the FY 94-95 Budget.

Attorney Waddingham said that in order to widen the street beyond Mr. Thompson's property, the owner's of the property north of Mr. Thompsons need to be contacted to see if they would deed a portion of their property for that purpose. Mr. Thompson said he would pursue that issue and report back at the next Regular City Council Meeting.

Public Works Director Neil Forster was instructed to determine the width and alignment of the street.

Mayor Dafoe, Councilman Droubay and Councilman Harris concurred with Mr. Thompson's proposal. Councilman Gayle Bunker MOVED to table this issue for further research and review. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

SCOTT NIXON & KENT GORDON, COOPERS & LYBRAND: AUDIT REPORT FOR FISCAL YEAR ENDED JUNE 30, 1993

Mayor Dafoe welcomed Scott Nixon and Kent Gordon, Coopers & Lybrand, and asked them to present the Audit Report for Year Ended June 30, 1993.

Scott Nixon reviewed in detail the Audit Report of Finance Statements for the Year Ended June 30, 1993, and Kent Gordon reviewed in detail the Single Audits. Kent Gordon also reviewed in detail the Delta City Management Letter; however, a final copy was not available for this meeting and will not be a part of these minutes.

Following discussion, Council Member Gayle Bunker MOVED to approve the Audit Report for Year Ended June 30, 1993, as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: RESOLUTION PROVIDING FOR AMENDMENTS TO DELTA CITY
BUDGET FOR FISCAL YEAR 1993-1994

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed resolution providing amendments to Delta City's Budget for Fiscal Year 1993-1994.

Attorney Richard Waddingham presented the following proposed resolution entitled:

RESOLUTION NO. 93-223

A RESOLUTION AMENDING RESOLUTION 93-217 AND
THE BUDGET ADOPTED THEREBY TO PROVIDE FOR
AMENDMENTS TO THE FISCAL YEAR 1993-1994 BUDGET
OF THE CITY OF DELTA, UTAH.

Mayor Dafoe said that a Public Hearing was held prior to the Regular City Council Meeting for the purpose of receiving public comment regarding the Amended Budget for Fiscal Year 1993-1994 and there was no public present.

Following brief discussion, Council Member Robert Droubay MOVED to adopt Resolution No. 93-223 as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Alan Burraston	Yes
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Absent
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Mayor Dafoe signed the Resolution. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

VAL KOFED, SUNRISE ENGINEERING INC.: DOWNTOWN BEAUTIFICATION
PROJECT REVIEW

Mayor Dafoe welcomed Val Kofed, Sunrise Engineering, Inc. and asked him to review the Downtown Beautification Project.

Val Kofed, Sunrise Engineering Inc., presented and reviewed with the City Council the "Delta City Main Street Improvements Project from 400 West to 100 East Project Concept Report". Mr. Kofed also presented a set of Delta City Main Street Improvements Project Plans for drainage, grading, surfacing & signing, which meet the conditions of the CDBG engineering contract.

Following discussion of the Downtown Beautification Project, Mr. Kofed said that additional plan details and specifications will have to be added before implementation of the proposed

improvements. He recommended that the additional details and specifications be added upon funding commitments and approval from UDOT to participate in the Downtown Beautification Project.

Mr. Kofed recommended that from this point forward, the City work closely with UDOT for a funding commitment to complete plans and specifications within 0 to 3 years and construction of the proposed improvements within 3 to 5 years. At the time UDOT commits funds to the project, Delta City will have to secure funding for the non-participating costs identified in the concept report. Those costs include domestic sewer, groundwater drainage, storm drainage, culinary water, and downtown beautification. Mr. Kofed suggested that the non-participating costs could be funded with low interest loans from UDOT, the Permanent Community Impact Board, the Division of Water Resources, the Drinking Water Board, the Water Quality Board and Delta City funds.

Following Mr. Kofed's presentation, Council Member Robert Droubay MOVED to approve the Delta City's Downtown Beautification Project Review as presented by Sunrise Engineering Inc. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a motion. The motion passed unanimously.

VAL KOFED, SUNRISE ENGINEERING INC.: PAYMENT REQUEST-DOWNTOWN BEAUTIFICATION PROJECT

Mayor Dafoe asked Val Kofed, Sunrise Engineering Inc., to present a payment request for the CDBG Downtown Beautification Project.

Mr. Kofed presented a final payment request from Sunrise Engineering Inc. for services provided June 16th through November 30, 1993, for Planning & Administrative in the amount of \$1,009.09 and for Final Design Phase in the amount of \$15,080 for a total of \$16,089.09.

Following brief discussion, Council Member Gayle Bunker MOVED to approve final payment to Sunrise Engineering in the amount of \$16,089.09. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: PAYMENT REQUEST-SEWER PUMP STATION

Mayor Dafoe asked Public Works Director Neil Forster to present a payment request from Sunrise Engineering regarding the Delta City Sewer Pump Station.

Neil Forster requested City Council's approval of a payment request from Sunrise Engineering Inc. in the amount of \$11,000 for design work completed for Sewer Lift Station B.

Following brief discussion, Council Member Gayle Bunker MOVED to approve payment to Sunrise Engineering Inc. in the amount of \$11,000 for the Delta City Sewer Pump Station.

MAYOR DON DAFOE: PAY TELEPHONE CONTRACT-DELTA CITY BUILDING AND DELTA CITY PARK

Mayor Dafoe presented a letter from Contel of the West, Inc. and explained that Citizens Utilities Company has agreed to purchase from Contel of the West, Inc. certain telephone operations and related assets, including pay telephone contracts. Delta City has two pay telephones; one is located in the City Office Building, and one is located in the City Park.

Contel of the West, Inc. is requesting that Delta City consent to the assignment of the Contracts to Citizens Utilities Company.

Attorney Richard Waddingham said that he contacted Contel of the West, Inc. and Delta City does not have a written contract with Contel of the West, Inc. for the two pay telephones; therefore, it is not necessary for the Mayor to sign consenting to the assignment of the contracts.

Council Member Robert Droubay MOVED that Mayor Dafoe do not sign the consent to the assignment from Contel of the West, Inc. to Citizens Utilities Company. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Council Member Robert Droubay said that Millard County Administrator Robyn Pearson contacted him regarding the possibility of Millard County grooming the south field at the Neighborhood Park for their use in the early Spring until the middle of April. The City Council had no objection to Mr. Pearson's proposal.

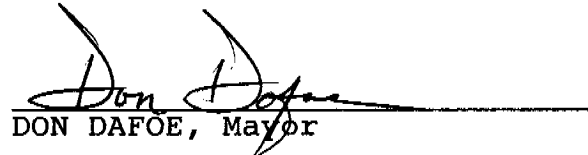
Council Member Robert Droubay said that the L.D.S. Church is anxious to redo the Delta Stake Center parking lot and asked what the City's plans were for 100 North Street just north of the church. Mr. Droubay said that the church has agreed to do the design and engineering work necessary to redo the parking lot.

Discussion was held regarding the streets and parking areas in that vicinity. Millard School District is also involved with the new

Delta North Elementary School and parking area located east of the church. Mr. Droubay said he would have the church representative work with Public Works Director Neil Forster.

Attorney Richard Waddingham said that he is in the process of rewriting the Franchise Ordinance regarding Natural Gas, and he will present it at the next Regular City Council Meeting.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 10:00 p.m.


DON DAFOE, Mayor

DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 1-10-94